



MINUTES

County of Lake Board of Supervisors

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD AUGUST 14, 2007

The Honorable Board of Supervisors of Lake County, California, met in regular session this 14th day of August, 2007, there being present Supervisors Ed Robey, Denise Rushing, Anthony Farrington, Rob Brown, Jeff Smith, Administrative Officer Kelly Cox, County Counsel Anita Grant, and Assistant Clerk of the Board Mireya Turner.

The meeting was called to order at 9:00 a.m. by Chair Smith. After a moment of silence Supervisor Brown led the salute to the flag of the United States of America.

1. **ITEM A-3 - APPROVAL OF CONSENT AGENDA** - On motion of Supervisor Robey and by vote of the Board (5 ayes), approved Consent Agenda Items C-1 through C-9.

Approved Minutes of the Board of Supervisors meetings held on July 17 and 24, 2007.

Appointed Mary Jane Fagalde to the Lake County Heritage Commission for a term ending January 1, 2009.

Approved Agreement between the County of Lake and the Middletown Merchants Association for a downtown Middletown community beautification project in the amount of \$10,000 (funded by Geothermal Resource Royalties) and authorized the Chair to sign.

Authorized the Chair to sign Certification Statements for the Child Health and Disability Prevention Program (CHDP) and the California Children's Services (CCS) Program.

Approved Claims for Payment of Excess Proceeds from Tax Sale #144 per Section 4675 of the Revenue and Taxation Code as recommended in memorandum dated July 27, 2007, from Treasurer-Tax Collector Sandra Kacharos.

Approved Agreement between the County of Lake and Thompson West for West-Law Online Legal Research and authorized County Counsel to sign.

Approved Lease Agreement between the County of Lake and the Konocti Unified School District for a parking lot at 7150 South Center Drive, Clearlake and authorized the Chair to sign

Sitting as the Board of Directors of the Lake County Redevelopment Agency, adopted Resolution No. 2007-165, revising the Facade Improvement Program.

Sitting as the Board of Directors of the Lake County Watershed Protection District, approved Amendment Five to Agreement between the Lake County Watershed Protection District and EOA, Inc. for engineering services for the National Pollution Discharge Elimination System (NPDES) Phase II Stormwater Management Plan in the amount of \$8,500, and authorized the Chair to sign.

2. **ITEM A-3 - CONSIDERATION OF ITEMS NOT APPEARING ON THE POSTED AGENDA**

EXTRA #1 - REQUEST FOR TEMPORARY ADDITIONAL ALLOCATION OF CUSTOMER SERVICE FIELD REPRESENTATIVE POSITION - On motion of Supervisor Farrington and by vote of the Board (5 ayes), approved taking up this item as an extra, due the fact the need arose after the posting of the agenda.

Special Districts Administrator Mark Dellinger and Special Districts Administrative Manager Karen Hanson were present.

Ms. Hanson gave a brief summary.

Supervisor Robey offered Resolution 2007-166, amending Resolution 2007-129 establishing position allocations for proposed budget for Fiscal Year 2007-2008, Budget Unit No. 8695, Special Districts Administration, and it was passed by roll call vote (5 ayes).

3. **ITEM A-4 - CURRENT CONSTRUCTION PROJECTS - CONTRACT CHANGE ORDERS -**

Change Order No. One (1) - Gaddy Lane, State Street to Soda Bay Road Pavement Rehabilitation, Kelseyville, Bid No. 07-31 - This change order addresses the balancing of the final in-place material quantities, for a decrease in the contract price of \$3,812.35, and authorized the Chair to sign.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved Change Order No. 1, Ghilotti Construction Company, for a decrease of \$3,812.35.

4. **CITIZEN'S INPUT** - Kelli Risso spoke regarding a construction project in Middletown.

5. **ITEM A-12 - CLOSED SESSION - 1. Conference with Legal Counsel - Anticipated Litigation - (a) Significant Exposure to Litigation Pursuant to Subdivision (b) of Section 54956.9: One Potential Case** - Chair Smith announced the Board would now go into Closed Session for the reasons stated on the agenda.

The Board reconvened into Regular Session with no action taken.

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6. **ITEM A-9 - SUPERVISORS WEEKLY CALENDAR, TRAVEL, AND REPORTS** - On motion of Supervisor Rushing and by vote of the Board (5 ayes), authorized the expenditure for travel for Supervisor Robey to attend a CalTrans planning meeting in Roseville, CA on August 20, 2007, and Supervisor Farrington to travel to meet with Napa CASA staff, in Napa, CA, on August 16, 2007.

On motion of Supervisor Robey and by vote of the Board (5 ayes), authorized the expenditure for registration and per diem expenses for Supervisors to attend the California State Association of Counties (CSAC) Convention in Oakland, CA from November 13-16, 2007, and the Regional Council of Rural Counties (RCRC) Conference in Napa, CA from September 19-21, 2007.

7. **ITEM A-5 - 9:30 A.M. - PUBLIC HEARING - CONSIDERATION OF A PROPOSED REVISED RESOLUTION APPROVING NORTHSORE FIRE PROTECTION DISTRICT'S RESOLUTION NO. 2007-18 AND CAPITAL FIRE FACILITY AND EQUIPMENT PLAN SUBMITTED BY NORTHSORE FIRE PROTECTION DISTRICT (CORRECTING AN ERROR IN RESOLUTION NO. 2007-14 THAT WAS ADOPTED BY THE NORTHSORE FIRE PROTECTION DISTRICT, WHICH WAS A PART OF RESOLUTION NO. 2007-106 THAT WAS ADOPTED BY THE LAKE COUNTY BOARD OF SUPERVISORS)** - Senior Administrative Analyst Jennifer Hammond gave a brief summary.

Chair Smith opened the public hearing. No one was present wishing to speak and the public hearing was closed.

Supervisor Rushing offered Resolution No. 2007-167, approving Northshore Fire Protection District's Resolution No. 2007-18 and Capital Fire Facility and Equipment Plan submitted by the Northshore Fire Protection District, and it was approved by a roll call vote (5 ayes).

8. **ITEM A-11 - Advanced from August 7, 2007 - AN ORDINANCE ADOPTING A PUBLIC DEFENDER LEGAL FEE REIMBURSEMENT PROGRAM, REGISTRATION FEE AND REIMBURSEMENT FEE SCHEDULE - (SECOND READING)** - Supervisor Farrington offered Ordinance 2834, and it was passed by roll call vote (5 ayes).

9. **ITEM A-10 - DISCUSSION/CONSIDERATION OF PROPOSED AGREEMENT BETWEEN THE CITY OF CLEARLAKE, THE CITY OF LAKEPORT AND THE COUNTY OF LAKE RELATIVE TO THE OPERATION OF A LOCAL PUBLIC, EDUCATIONAL, GOVERNMENTAL (PEG) CABLE TELEVISION CHANNEL** - County Administrative Officer Kelly Cox gave a brief summary.

Chair Smith asked if there was anyone present wishing to speak and Public Services Director Kim Clymire spoke. No one else was present wishing to speak and the public portion of this item was closed.

On motion of Supervisor Robey and by vote of the Board (5 ayes), approved the agreement between the City of Clearlake, The City of Lakeport and the County of Lake relative to the operation of the local public, educational, governmental (PEG) cable television channel, and authorized the Chair to sign.

10. **ITEM A-6 - 9:45 A.M. - CONSIDERATION OF REQUEST FROM TIMBERLINE DISPOSAL COMPANY FOR ASSIGNMENT OF ITS CONTRACT TO LAKE COUNTY WASTE SOLUTIONS INC., AND CONSIDERATION OF PROPOSED MODIFICATIONS TO CONTRACT IF ASSIGNMENT IS APPROVED** - Public Services Director Kim Clymire and Deputy Public Services Director Caroline Chavez were present.

Mr. Clymire gave a brief summary.

Chair Smith asked if anyone was present wishing to speak and the following people spoke: Jim Salyers of Timberline Disposal, Dave Carroll of Lake County Waste Solutions and Joan Moss. No one else was present wishing to speak and the public portion of this item was closed.

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved the consent to assignment and assumption of revised contract for solid waste handling and recycling services, and authorized the Chair to sign.

11. **ITEM A-7 - 10:30 A.M. - HEARING - APPEAL OF VICIOUS ANIMAL ABATEMENT ORDER, LOCATED AT 7350 SCOTTS VALLEY ROAD, LAKEPORT (JAMES STILLMAN)** - Animal Control Officer Morgan Hermann, Animal Control Officer Terri Flynn, and James Stillman were sworn in by the Clerk.

Ms. Flynn presented the Animal Control report.

Mr. Stillman gave testimony.

Ms. Hermann gave testimony.

This item was continued to August 21, 2007, 2:15 p.m.

After a brief recess, the Board reconvened at 11:30 a.m.

12. **ITEM A-8 - 11:30 A.M. PRESENTATION OF EMPLOYEE SERVICE AWARDS** - Chair Smith and Supervisor Brown presented certificates and pen/pencil sets in recognition of fifteen or more years of employment with the County of Lake (or in the case of department heads or Board members, five or more years of service). The following employees received certificates for ten years of service: Ed Robey, Jr. - District 1 Supervisor.

The following employees received pen/pencil sets for fifteen years of service: Douglas Blank - Special Districts, Wendy Thorn - Special Districts, Janette Campbell - Public Services, James Bauman - Sheriff Coroner, Dean Pick - Sheriff Coroner, Cecil Brown - Sheriff Coroner and Anita Grant - County Counsel.

The following employees received pen/pencil sets for twenty years of service: Michael Owens - Probation.

The following employees received pen/pencil sets for twenty-five years of service: Kenneth Rehard - Social Services, Sue Walsh - Human Resources, Hartmut Gall - Sheriff Coroner, Beverly Bresso - Social Services and Bruce Collins - District Attorney.

The following employees received pen/pencil sets for thirty years of service: Robert Bridges - County Counsel.

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There being no further business, the meeting was adjourned at 12:30 p.m.

Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

By: _____
Mireya G. Turner
Assistant Clerk of the Board